

Reissue Litigation
Group Art #1638

PTO/SB/21 (08-00)

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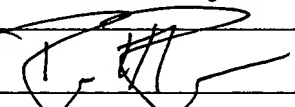
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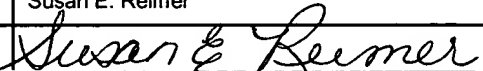
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/773,303 - 90/005,892
		Filing Date	01/31/2001 - 12/20/2000
		First Named Inventor	Larry M. Proctor
		Group Art Unit	1638
		Examiner Name	Amy Nelson
Total Number of Pages in This Submission	5+	Attorney Docket Number	19742/002

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): Credit Card Form - PTO 2038 (1 pg) 8 cited Non-Patent Documents Statement Accompanying IDS (1 pg)
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Firm or Individual name	Brett L. Bornsen, Reg. No. 46,566
Signature	
Date	9-26-02

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2020-09-26

Reissue Litigation
Group Art #1638
#30

Practitioner's Docket No. 19742/002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Larry M. Proctor
Application No.: 09/773,303 – 90/005,892 Group No.: 1638
Filed: 01/31/2001 – 12/20/2000 Examiner: Amy Nelson

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STATEMENT ACCOMPANYING IDS

Dear Examiner,

The documents filed in this IDS have been filed in the United States District Court for the District of Colorado (Civil Action No. 01-WY-2310 AJ) for the case of Pod-Ners, LLC v. Northern Feed & Bean of Lucerne, Ltd. Liability Co., et. al. This case is an action for infringement of Pod-Ners' Plant Variety Protection Act Certificate. Cites 5-8 allege that Pod-Ners, the owner of the patent involved in these consolidated proceedings, failed to disclose material information to the Plant Variety Protection Office and the USPTO (see Cite 5; pages 2-18, and 33-39). Cites 1-4 respond to the allegations in Cites 5-8 (see Cite 1; pages 26-49).

Respectfully submitted,

Date:

9-26-02

Tel. No.: 303-546-1300

Fax No.: 303-499-5426

CORRESPONDENCE ADDRESS:

Brett L. Bornsen, Reg. No.: 46,566

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